

Town of Lakeville  
346 Bedford Street  
Lakeville, MA 02347

*Cable Advisory Committee*

July 5, 2006

Andrea Nixon  
Clerk, Cable Television Division  
Department of Telecommunications and Energy  
One South Station  
Boston, MA 02111



Dear Ms. Nixon:

The Town of Lakeville would like to register its strong opposition to Verizon's March 16, 2006 rulemaking petition filed with the Cable Division of the Department of Telecommunications and Energy. Verizon's petition proposes extremely unreasonable new rules for initial cable licensing which we feel would be unfair to the citizens/subscribers of Lakeville and the Commonwealth.

The proposed rules would require a municipality to hold a public hearing on an initial cable television license application within 60 days of the application filing, and would require only 30 days from the time of the public hearing for the municipality to approve or disapprove the application, and issue the actual license in case of approval.

From our experience it is impossible to conclude a fair and proper initial license application review, negotiations, license drafting, and issuance within 30 days of the public hearing. Such an initial licensing time frame would be untenable in the best of circumstances, and is particularly untenable now in light of the many questions of first impression and complex issues raised by the non-standard terms and conditions found in Verizon's most recent (December 2005) license proposal to the Town of Lakeville.

The existing license timetables have worked well for decades, and they should not be changed at the request of a single proponent. Please note that Congress contemplated and provided for a three year renewal process when it more comprehensively and carefully set forth cable licensing rules in the 1984 Cable Act. This framework worked well for decades and there is no rational basis for casting aside these time-tested rules and replacing them with radically abbreviated rules now.

I have your email response indicating that you are in receipt of a March letter from our Senator Joan Menard and Representative Stephen Canessa which states that they are in agreement with us and in opposition to Verizon's proposal. It takes many hours to negotiate a license that is fair to both sides. It is our belief that Verizon's proposal would put the Town of Lakeville into a "negotiating box" where it would be put into a "take-it-or-leave-it" position at the bargaining table. Further, after already receiving Verizon's Form 100, their response to our RFP, and having spent many hours as a committee studying and discussing them, we responded to them on February 21, 2006 with our letter of concern. In it we cited a number of issues that required further discussion and negotiation. Our final line of the letter was: "If you have any questions regarding the above, please feel free to contact me (chairman) at"...etc. To date, *we have heard nothing* from them. We are left to wonder why.

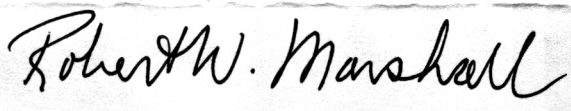
If Verizon is successful in getting this proposal passed, we fear that our existing cable provider (Comcast), who has "level playing field" language in their existing renewal license, would request that they be

released from certain obligations Verizon would not be held to as a result of such a short negotiating time. In short, if Lakeville didn't have the time to properly review and negotiate a fair license with Verizon, Comcast might ask to be relieved from some/all of its obligations. This could be disastrous for Lakeville.

I have read and heard of many municipal officials who are responsible for implementing licensing and who oppose these proposed rules. Municipal officials are concerned that, under the proposed rules, our community, as well as cities and towns across the state, will lose any real ability to properly review and negotiate Verizon's cable proposals. The 30 day post-hearing process is not even close to what is needed for a fair and reasonable licensing process. The Massachusetts Cable Divison should reject the Verizon petition and allow local officials to continue serving their constituents as they have been doing for many years.

Thank you for your attention to this matter. If you have any further questions or desire further comment, please do not hesitate to contact us at any of the addresses below.

Sincerely yours,

A handwritten signature in black ink that reads "Robert W. Marshall". The signature is written in a cursive, flowing style.

Robert W. Marshall  
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Lakeville Cable Advisory Committee  
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Lakeville, MA 02347  
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